

# CITY COUNCIL REPORT



Meeting Date: April 9, 2013  
 General Plan Element: *Community Mobility*  
 General Plan Goal: *Encourage a diversity of transportation system links*

## **ACTION**

**Construction Bid Award for construction of the Scottsdale-McDowell Transit Center Project.** Adopt Resolution 9338 authorizing Construction Bid Award 11PB039 to Visus Engineering Construction, Inc., the lowest responsive bidder, at their unit price bid of \$1,238,000.00 for construction of the Scottsdale-McDowell Transit Center Project.

## **BACKGROUND**

The purpose of this action is to award a construction contract for the removal of the existing single bus bay south of McDowell Road on Scottsdale Road and construction of a three bus capacity bay. The proposed improvements include transit shelters, sidewalks, landscaping and decorative elements that are intended to complement the Scottsdale Streetscape Project. The Transportation Department previously determined the area of Scottsdale Road and McDowell Road is a major transit transfer point and that a transit passenger center is needed to provide basic services to transit passengers and operators, coordinate transit operations, and accommodate transfers to future high capacity and/or neighborhood circulator services.

Rights-of-way acquisition for this project was approved by Council with the adoption of Resolution 8352 on July 7, 2010. Resolution 9066 authorizing Engineering Services Contract 2012-050-COS with HDR Construction Control Corporation for construction administration services for the Scottsdale/McDowell Transit Center was approved on June 5, 2012.

## **ANALYSIS & ASSESSMENT**

### **Recent Staff Action**

On January 29, 2013, staff solicited construction bids for construction of the Scottsdale-McDowell Transit Center Project. City received five bids on March 12, 2013 at 2:00 p.m. The three lowest responsive bids received are as follows:

Visus Engineering Construction	\$1,238,000.00
Pierson Construction	\$1,340,205.60

**City Council Report | Construction Bid Award – Scottsdale-McDowell Transit Center Project**

Intermountain West

\$1,382,853.00

The engineer’s estimate for the construction of the proposed project was \$1.0 to \$1.2 million. The Purchasing Director confirms that the procurement procedures provided by the City Code have been followed.

**Significant Issues to be Addressed**

Key issues with this project include adherence to federal requirements, ongoing use of the existing on-site facility, and construction phasing.

**Community Involvement**

Staff will mail notification to the businesses in the vicinity of the project before starting construction. Public outreach will continue through the construction of the project including the maintenance of a project-specific web site.

**RESOURCE IMPACTS**

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**Available funding**

The project has a total grant funding of \$3,583,093.00. The project grant requires a local match of 20 percent, which is available in CIP project T0601, Skysong Transit Passenger Facility. The City of Phoenix is the designated administrator for all FTA grants for the region. The City will invoice the City of Phoenix for the expenses who will then reimburse all the eligible expenses to the City.

**Staffing, Workload Impact**

Existing Capital Project Management staff resources are available to provide the requisite services for this contract. The contract administrator responsible for enforcement of all provisions of this contract is Thyra Ryden-Diaz, Capital Projects Management Division. This agreement shall remain in effect until project construction is complete.

**Maintenance Requirements**

The cost of ongoing maintenance for the facility will be included in future year operating budgets.

**OPTIONS & STAFF RECOMMENDATION**

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**Recommended Approach**

Adopt Resolution 9338 authorizing Construction Bid Award 11PB039 to Visus Engineering Construction, Inc., the lowest responsive bidder, at their unit price bid of \$1,238,000.00 for construction of the Scottsdale-McDowell Transit Center Project.

**Proposed Next Steps:**

Upon council approval, construction administration will proceed concurrently with construction of the project. Project construction is expected to start in May 2013 and will take approximately 5 months to complete.

**RESPONSIBLE DEPARTMENT(S)**

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Capital Project Management and Police Department

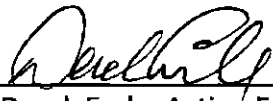
**STAFF CONTACTS (S)**

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Thyra Ryden-Diaz, Sr. Project Manager, [tryden-diaz@ScottsdaleAZ.Gov](mailto:tryden-diaz@ScottsdaleAZ.Gov)

**APPROVED BY**

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Derek Earle, Acting Executive Director, Public Works

(480) 312-2776, [dearle@scottsdaleaz.gov](mailto:dearle@scottsdaleaz.gov)

3.26.13

Date

**ATTACHMENTS**

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1. Resolution 9338
2. Location Map
3. Contract 11PB039

RESOLUTION NO. 9338

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE CONSTRUCTION BID AWARD 11PB039 BETWEEN THE CITY AND VISUS ENGINEERING CONSTRUCTION, INC. FOR CONSTRUCTION OF THE SCOTTSDALE-MCDOWELL TRANSIT CENTER PROJECT.

The City wishes to construct the Scottsdale-McDowell Transit Center; and

Visus Engineering Construction, Inc. has offered to provide to the City the requisite construction services necessary to complete the construction work.

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. The Mayor of the City of Scottsdale is authorized and directed to execute construction Bid Award No. 11PB039 between the City and Visus Engineering Construction, Inc. for the construction of Scottsdale-McDowell Transit Center Project.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 9th day of April, 2013.

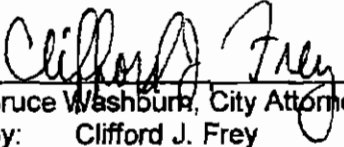
ATTEST:

CITY OF SCOTTSDALE  
An Arizona municipal corporation

\_\_\_\_\_  
Carolyn Jagger, City Clerk

\_\_\_\_\_  
W.J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Bruce Washburn, City Attorney  
By: Clifford J. Frey  
Senior Assistant City Attorney

**ATTACHMENT 1**



**McDOWELL ROAD**

**PROPOSED  
TRANSIT  
SHELTERS**

**PROPOSED  
BUS BAY**

**PROPOSED  
TRANSIT  
SHELTER**

**PROPOSED  
BUS BAY**

**SCOTTSDALE ROAD**

**ATTACHMENT 2**

PROJECT TITLE **Scottsdale/McDowell  
Transit Facility**

DEPT. V.G. CPM	DRAWN NZ	DATE 05/08/12	SCALE NTS	SHT. 1 OF 1
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DESIGN FILE: \\SCOTTSDALE\SCOTTSDALE\PROJECTS\TRANSIT FACILITY





**CITY OF SCOTTSDALE  
CONSTRUCTION CONTRACT**

**BID NUMBER: 11PB039**

**PROJECT NUMBER: T0601**

**PROJECT NAME: SCOTTSDALE/MCDOWELL TRANSIT FACILITY**

THIS CONTRACT, entered into this 9<sup>th</sup> day of April 2013, between Visus Engineering Construction, Inc., herein after designated "Contractor" and the City of Scottsdale, County of Maricopa, and State of Arizona, a municipal corporation, organized and existing under and by virtue of the laws of the State of Arizona, the "City".

**WITNESSETH:**

The Contractor, in consideration of the sum to be paid him by the City, in the manner and at the time provided, and of the other covenants and agreements contained in this Contract and under the penalties expressed in the bonds provided, agrees, for himself, his heirs, executors, administrators, successors, and assigns as follows:

**SECTION 1 - SCOPE OF WORK:** The Contractor will furnish any and all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for Bid No. 11PB039, Project No. T0601 and to completely and totally construct the project and install the material in the project for the City, in a good workmanlike and substantial manner to the satisfaction of the City and under the direction and supervision of the City, or other properly authorized agents and strictly in accordance with the Plans and Specifications prepared for the City, and with any modifications of the Plans and Specifications and other documents that may be made by the City or other properly authorized agents, as provided in this Contract.

The Contractor agrees that this Contract, as awarded, is for Bid No. 11PB039, Project No. T0601, SCOTTSDALE/MCDOWELL TRANSIT FACILITY, at the intersection of Scottsdale and McDowell Roads in the amount of \$1,238,000.00, and understands that payment for the total work will be made on the basis of the indicated amount(s), as bid in the Bid Form.

**SECTION 2 - CONTRACT DOCUMENTS:** The Contract Documents consist of the Invitation for Bid, Bid No. 11PB039, Plans, Standard Specifications and Details, Project Manuals, General and Special Provisions, Addenda, if any, and Contractor's Bid, as accepted by the Mayor and Council. Performance Bond, Payment Bond, Certificates of Insurance, and Change Orders, if any, are by this reference made a part of this Contract.

**ATTACHMENT 3**

BID NUMBER: 11PB039

PROJECT NUMBER: T0601

PROJECT NAME: SCOTTSDALE/MCDOWELL TRANSIT FACILITY

SECTION 3 - TIME OF COMPLETION: The Contractor further covenants and agrees at his own proper cost and expense, to do all work as required for the construction of the improvements and to completely construct the project and install the materials, as called for by the Contract Documents free and clear of all claims, liens, and charges whatsoever, in the manner and under the conditions specified within the time, or times, stated in the bid documents.

SECTION 4 - PAYMENTS: In consideration of the faithful performance of the work as stated in the Contract Documents, which have been made a part of this Contract by reference, and in accordance with the directions of the City, through its Contract Administrator or other properly authorized agent and to City's satisfaction, the City agrees to pay the Contractor the amount earned, computed from actual quantities of work performed and accepted or materials furnished at the unit bid and/or lump sum price on the Bid Form. Any progress payments made must be in accordance with the General Terms and Conditions as stated in the Contract Documents and final payment will be made within 60 days after final inspection and acceptance of the work.

SECTION 5 - CONTRACT ADMINISTRATOR IS: Thyra Ryden-Diaz or designee.

IN WITNESS WHEREOF, 3 identical counterparts of this contract, each of which are for all purposes considered an original, have been duly executed by the parties on the date and year first above written.

CONTRACTOR:

REVIEWED:

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
Edward M. Howard  
Risk Management Director

\_\_\_\_\_  
(Address)

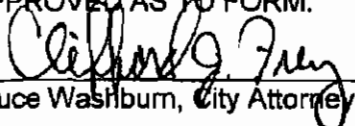
\_\_\_\_\_  
James Flanagan  
Purchasing Director

\_\_\_\_\_  
(City, State, Zip)

\_\_\_\_\_  
(Printed Name/Title)

\_\_\_\_\_  
Thyra Ryden-Diaz  
Contract Administrator

By: \_\_\_\_\_  
(Signature of Authorized Representative)

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Bruce Washburn, City Attorney

By: Clifford J. Frey  
Senior Assistant City Attorney

CITY OF SCOTTSDALE

ATTEST:

By: \_\_\_\_\_  
W.J. "Jim" Lane, Mayor

BY: \_\_\_\_\_  
Carolyn Jagger, City Clerk